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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,369	02/28/2000	Takayuki Shinohara	49657-625	9468

20277 7590 03/24/2003  
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WASHINGTON, DC 20005-3096

EXAMINER

LEI, TSULEUN R

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 03/24/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/514,369

Applicant(s)

SHINOHARA ET AL.

Examiner

T. Richard Lei

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 December 2002 & 24 January 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All   b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's argument and amendments filed on 24 December 2002 and 24 January 2003 have been fully considered but they are not persuasive for the following reasons.

Applicant argues that Kuroda reference does not disclose a signal transmission/reception portion for transmitting and receiving a signal, and a control portion for controlling at least a signal transmission and reception operation of the transmission/reception portion. The Applicant is advised to look at Fig.41, which shows the internal structure of a wireless telephone. Any wireless device must have transmitting and receiving circuit in order to function, whether it is explicitly shown or lumped in a block diagram described as the "high-frequency radio unit". Also the control part is indicated by the inclusion of the "CPU" in Fig.41.

Applicant further argues that Kuroda does not teach or suggest the claimed file storage flash memory for storing program for the control portion. This is not true. Kuroda repeatedly teaches that the flash memory stores not only the data, but also the program to be executed by the CPU (Col.5, Lines 30-33; Col.6, Lines 21-23).

This Office Action does not rely on the combination of Kuroda and Robinson for the claim rejection. The Kuroda reference alone is sufficient, because Kuroda also teaches the use of RAM as work area memory and data buffer area.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kuroda et al. (U.S. Patent 5,444,664).

Regarding Claim 1, Kuroda teaches a memory system for a portable telephone (Col.5, Lines 11-14; Fig.41) including a signal transmission/reception portion for transmitting and receiving a signal (Fig.41, High-Frequency Radio Unit 103) and a control portion (Fig.41, Control Unit in Block 102) for controlling at least a signal transmission and reception operation of said transmission/reception portion, comprising: a random access memory (Col.6, Lines 17-23) providing a working area for said control portion; and a file storage flash memory (Fig.41, FLASH) for storing a program for said control portion and at least transmission and reception data in a non-volatile manner under a control of said control portion (Col.6, Lines 21-23, desired data and program).

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Regarding Claim 2, Kuroda teaches the memory system for the portable telephone according to claim 1, wherein said random access memory and said file storage flash memory are coupled to an internal bus (Figs.1 & 41; Col.29, Lines 9-12) interconnecting said control portion and said signal transmission/reception portion.

Regarding Claim 3, Kuroda teaches the memory system for the portable telephone according to claim 2, further comprising a bus converting circuit (Fig.43, I/O; and Col.34, Lines 27-33) connected between said file storage flash memory and said internal bus and functioning as an interface circuit for said file storage flash memory.

Regarding Claim 4, Kuroda teaches the memory system for the portable telephone according to claim 3, wherein said file storage flash memory and said bus converting circuit are integrally formed into a memory card (Fig.43; Col.34, Lines 11-13) attachable and detachable to and from said portable telephone.

Regarding Claim 5, Kuroda teaches the memory system for the portable telephone according to claim 3, wherein said file storage flash memory is constituted of a memory card (Fig.43; Col.34, Lines 11-13) being attachable and detachable to and from said bus converting circuit.

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Regarding Claim 6, Kuroda teaches the memory system for the portable telephone according to claim 1, wherein said control portion, said random access memory and said file storage flash memory are integrally formed as a control unit (Fig.41, and Col.6, Lines 10-23).

Regarding Claim 7, Kuroda teaches the memory system for the portable telephone according to claim 1, wherein said file storage flash memory comprises an AND type flash memory (Col.9, Lines 43-47).

Regarding Claim 8, Kuroda teaches the memory system for the portable telephone according to claim 5, wherein said bus converting circuit is formed into an adapter attachable and detachable to said portable telephone (Col.34, Lines 34-35, Note: replaceable indicates that it is attachable and detachable).

Regarding Claim 9, Kuroda teaches the memory system for a portable telephone according to claim 1, wherein said file storage flash memory comprising a plurality of sectors for storing a program for said control portion (Figs.37-39) and at least transmission and reception data in a non-volatile manner under a control of said control portion, and serially reading out a program to the random access memory to execute it (Col.5, Lines 30-32, Note that "the stored information to be processed by the CPU" indicates that the stored program bits are read out from the memory and into the CPU in a serial fashion as shown in Fig.28).

Regarding Claim 10, see Claim 1 and Claim 9 for Kuroda's teaching.

Regarding Claim 11, see Claim 1 for Kuroda's teaching.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Robinson et al. (U.S. Patent 6,154,788) teaches a flash memory device with the controller.

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Jha et al. (U.S. Patent 6,407,949) teaches a mobile communication device with integrated embedded FLASH and SRAM memory.

Jigour et al. (U.S. Patent 5,877,975) teaches an insertable/removable digital memory apparatus.

Robinson (U.S. Patent 6,260,102) teaches an interface for flash EEPROM memory arrays.

Robinson (U.S. Patent 6,279,069) teaches an interface for flash EEPROM memory arrays.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to T. Richard Lei whose telephone number is 703-305-4828. The examiner can normally be reached on 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5403 for regular communications and 703-308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

TRL  
TRL

March 12, 2003

THANH CONG LE  
PRIMARY EXAMINER

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3/20/03